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December 17, 2001

Via Courier

The Commissioner of Patents
and Trademarks
Box Missing Parts
Washington, DC 20231
U.S.A.

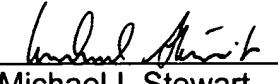
Dear sir:

RE: US Patent Application No. 09/936,362
Applicant: Sheena M. Loosmore
Title: RECOMBINANT HAEMOPHILUS INFLUENZAE
ADHESIN PROTEINS

In response to the Notification of Missing Requirements under 35 U.S.C. 371, submitted herewith are:

1. Declaration signed by the inventors and referring to the PCT filing by number and filing date.
2. Cheque in the amount of the Surcharge fee and the additional claim fee
3. Copy of Notice

Yours very truly,



Michael I. Stewart
Reg. No. 24,973

M.I.Stewart/jb
Enclosure(s)

330 University Avenue
6th floor
Toronto, Canada
M5G 1R7

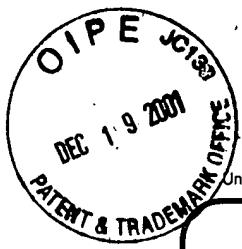
Telephone (416) 595-1155
Fax (416) 595-1163

MICHAEL I. STEWART
ROGER T. HUGHES, Q.C.
TONI POLSON ASHTON
JOHN H. WOODLEY
KENNETH D. MCKAY
TIMOTHY M. LOWMAN
STEPHEN M. LANE
ARTHUR B. RENAUD
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ELIZABETH VALENTINA
LESLEY M. MORRISON
GEOFFREY B.C. DE KLEINE
SENIOR CONSULTANTS
PETER W. MCBURNAY
BRENDA L. BOARDMAN
TECHNICAL ASSISTANTS
KIMBERLY A. MC MANUS, PH.D.
WENDY M. NOSS, B.A., L.L.B.

JC14 Rec'd PCT/PTO

DEC 2001

PCT \$ #3

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application	09/936,362
		Filing Date	
		First Named	Sheena M. Loosmore
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	9	Attorney Docket Number	1038-1190 MIS:jb

ENCLOSURES <i>(check all that apply)</i>			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	
		Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)
Signature	
Date	December 17, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$382.00

Complete if Known

Application Number	09/936,362
Filing Date	
First Named Inventor	Sheena M. Loosmore
Examiner Name	
Group Art Unit	
Attorney Docket No.	1038-1190 MIS:Jb

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

- Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR § 1.27

2. Payment Enclosed:

- Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	
106	330	206 165 Design filing fee	
107	510	207 255 Plant filing fee	
108	740	208 370 Reissue filing fee	
114	160	214 80 Provisional filing fee	
SUBTOTAL (1)			

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	0 X _____	= 0.00
Independent Claims	- 3** =	0 X _____	= 0.00
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent

12/26/2001 18-210 9 ** Reissue claims in excess of 20 over original patent

01 FC:154 SUBTOTAL (2) 130.00 **DP \$0.00**
02 FC:364 252.00 **DP**

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	130.00
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non - English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR § 1.17(q)	
126	180	126 180 Submission of Information Disclosure Statement	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify) Additional Claim Fee

252.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$382.00

SUBMITTED BY

Name (Print/Type)	Michael I. Stewart	Registration No. (Attorney/Agent)	24,973	Telephone	(416) 595-1155
Signature			Date	December 17, 2001	

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RECEIVED		
NOV 13 2001		
SIM & McBURNEY SIM, HUGHES, ASHTON & MCKAY		
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/936,362	Sheena M Loosmore	1038-1190 MIS:jb
INTERNATIONAL APPLICATION NO.		
PCT/CA00/00289		
I.A. FILING DATE	PRIORITY DATE	
03/16/2000	03/16/1999	
CONFIRMATION NO. 3637 371 FORMALITIES LETTER		
 *OC00000007009808*		

Date Mailed: 11/02/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$252 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$382 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$252
 - \$252 for 23 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

MAMIE P PERSON

Telephone: (703) 305-3737

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/936,362	PCT/CA00/00289	1038-1190 MIS:jb